UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

JASON A. GOTHAN and ROSALYNN R. GOTHAN,)   3:10-CV-00172-ECR-VPC
husband and wife,   )
)   MINUTES OF THE COURT
     Plaintiffs,   )
)   DATE: July 21, 2010
vs.   )
)
OWNIT MORTGAGE SOLUTION, INC., a   )
California corporation; et al.,   )
)
     Defendants.   )
_____)

PRESENT: EDWARD C. REED, JR.   U. S. DISTRICT JUDGE

Deputy Clerk: COLLEEN LARSEN   Reporter: NONE APPEARING

Counsel for Plaintiff(s) _____ NONE APPEARING _____

Counsel for Defendant(s) _____ NONE APPEARING _____

MINUTE ORDER IN CHAMBERS

     On April 2, 2010, May 2, 2010 and July, 5, 2010, Plaintiffs filed
notices (## 10, 27 and 42) of intent to withhold responses to defendants
motions to dismiss (## 8, 25 and 37) pending our ruling on Plaintiffs'
motion to remand (#7).

     Pursuant to a May 12, 2010 order, the claims in this case related to
the formation and/or operation of MERS were transferred by the United
States District Panel on Multidistrict Litigation to the District of
Arizona. The claims unrelated to the formation and/or operation of MERS
were simultaneously remanded to our court. (Conditional Transfer Order
(#32).) Thus, we do not have jurisdiction over the entirety of this
lawsuit, and cannot, at this time, remand it. As such, the motion to
remand will be denied. Plaintiffs may to renew their motion to remand or
file another motion to remand after the District of Arizona has completed
pretrial proceedings and transferred any remaining MERS-related claims back
to this court.

     Moreover, Plaintiffs are not entitled to unilaterally refuse to
respond to pending motions without consequence. See Local Rule 7-2(d) (The
failure of an opposing party to file points and authorities in response to
any motion shall constitute a consent to the granting of the motion.)

IT IS, THEREFORE, HEREBY ORDERED that Plaintiffs' motion to remand (#7) is **DENIED** without prejudice.

IT IS FURTHER ORDERED that Plaintiffs shall have fourteen (14) days within which to respond to the pending motions to dismiss (## 8, 25 and 37).

LANCE S. WILSON, CLERK

By _____/s/_____
          Deputy Clerk